

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 Merlin Lkent Williams,

5 Plaintiff

6 v.

7 State of Mississippi, et al.,

8 Defendants

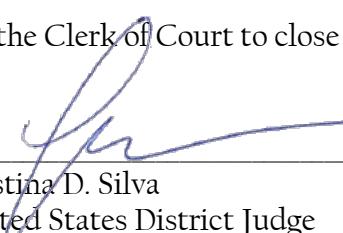
Case No. 2:23-cv-00054-CDS-BNW

9
10 Order Dismissing Case

11 [ECF Nos. 11, 17]

12 On April 17, 2023, Magistrate Judge Brenda Weksler dismissed pro se plaintiff Merlin
13 Lkent Williams's complaint without prejudice and with leave to amend. ECF No. 16. The
14 deadline for Williams to file an amended complaint was May 17, 2023. *Id.* To date, he has not
15 done so. However, on May 30, 2023, he filed a "motion to proceed pursuant to 28 U.S.C.
16 § 1915(g)," along with a 45-page brief in support. ECF Nos. 17, 18. Although I must construe pro
17 se pleadings liberally, even doing so here, I decline to find that Williams's filings constitute an
18 amended complaint. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quoting *Estelle v. Gamble*, 429
19 U.S. 97, 106 (1976)) ("A document filed *pro se* is 'to be liberally construed.'"). Even if I did,
20 Williams filed it past the deadline without good cause for the delay. In her order dismissing
21 Williams's complaint, Judge Weksler indicated that Williams's case would be dismissed if he
22 did not file an amended complaint by the deadline. ECF No. 16. He was therefore on notice that
23 his case would be dismissed. Because there is no operative complaint in this matter and no
24 claims remain, I sua sponte dismiss this case and direct the Clerk of Court to close it.

25
26 DATED: June 22, 2023


24 Cristina D. Silva
25 United States District Judge